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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,364	09/12/2003	Eric Meyerhofer	51091/RAG/F392	6757
5514	7590	04/21/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			CULLER, JILL E	
30 ROCKEFELLER PLAZA				
NEW YORK, NY 10112			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,364

Applicant(s)

MEYERHOFER ET AL.

Examiner

Jill E. Culler

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-10, 12-29 and 31-36 is/are pending in the application.
- 4a) Of the above claim(s) 14-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 10, 12-13, 24-28, 31, 33-35, 36/24-28, 36/31 and 36/33-35 is/are rejected.
- 7) ☒ Claim(s) 6, 9, 29, 32, 36/29 and 36/32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 36 objected to because of the following informalities: Claim 36 is dependent upon claim 30, which has been canceled. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 8, 24, 31, 36/24 and 36/31 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,594,233 to Kenneth et al.

With respect to claims 1 and 8, Kenneth et al. teaches a multi-media printer, 16, comprising: a print module comprising two or more heads, each head for reading and writing a different type of card, the two or more heads selected from the group including a thermal card read/write head, comprising a thermal write head and an optical read head, a magnetic strip card read/write head, 24, and a smart card connector, 26, see column 4, lines 16-19; and a single media drive adapted to couple a card inserted into the multi-media gaming printer to each of the heads, see column 4, lines 19-25, and a controller, 35, coupled to the two or more heads and the single media drive, the controller adapted to detect the type of the inserted card using the read capabilities of

the two or more heads, see column 5, lines 1-44, and a media motion sensor, 22, see column 5, lines 54-63.

With respect to claims 24 and 31, Kenneth et al. teaches a multi-media printer, 16, comprising: a print module for manipulating cards comprising different types of media, the print module comprising: a first head, 24, for manipulating a first type of card; a second head, 26, for manipulating a second type of card, the first type of card and the second type of card being different card types; see column 4, lines 16-19, and a single media drive adapted to couple a card inserted into the multi-media gaming printer to each of the heads, see column 4, lines 19-25, and a controller, 35, for controlling the print module, the controller adapted to detect the type of the inserted card using the heads, see column 5, lines 1-44, and a media motion sensor, 22, see column 5, lines 54-63.

With respect to claims 36/24 and 36/31, Kenneth et al. teaches that the first head and second head are selected from the group including a thermal card read/write head comprising a thermal write head and an optical read head, a magnetic strip card read/write head, 24, and a smart card connector, 26. See column 4, lines 16-19.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 25 and 36/25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenneth et al. in view of JP 05169762 to Asakawa.

With respect to claims 2 and 25, Kenneth et al. teaches all that is claimed, as in the above rejection of claims 1, 8, 24, 31, 36/24 and 36/31 except that the single media drive further comprises an articulated media drive adjustable to accommodate media with various thicknesses.

Asakawa teaches an articulated media drive, adjustable to accommodate media with various thicknesses. See abstract.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Kenneth et al. to have the articulated media drive of Asakawa in order to be able to process a wider variety of cards.

With respect to claim 36/25, Kenneth et al. teaches that the first head and second head are selected from the group including a thermal card read/write head comprising a thermal write head and an optical read head, a magnetic strip card read/write head, 24, and a smart card connector, 26. See column 4, lines 16-19.

6. Claims 3-5, 26-28, 36/36, 36/27 and 36/28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenneth et al. in view of U.S. Patent No. 5,882,127 to Amano.

With respect to claims 3-4 and 26-27, Kenneth et al. teaches all that is claimed, as in the above rejection of claims 1, 8, 24, 31, 36/24 and 36/31 except for a media

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magazine coupled to the controller and operable to receive and transmit media from and to the print module, and a media quantity sensor.

Amano teaches a printer having a media magazine, 21, coupled to a controller and operable to receive and transmit media from and to the print module, and a media quantity sensor, 55. See column 11, line 65 - column 12, line 16 and column 15, lines 54-58.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Kenneth et al. to have the media magazine and quantity sensor of Amano in order to deliver media to the printer in a controlled manner.

With respect to claims 5 and 28, Kenneth et al. teaches a read/write media information memory. See column 5, lines 8-11.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the memory of Kenneth et al. with the media magazine structure taught by Amano in order to have better control over the media feeding process.

With respect to claims 36/26, 36/27 and 36/28, Kenneth et al. teaches that the first head and second head are selected from the group including a thermal card read/write head comprising a thermal write head and an optical read head, a magnetic strip card read/write head, 24, and a smart card connector, 26. See column 4, lines 16-19.

7. Claims 10, 33 and 36/33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenneth et al. in view of U.S. Patent No. 6,364,550 to Petteruti.

With respect to claims 10 and 33, Kenneth et al. teaches all that is claimed, as in the above rejection of claims 1, 8, 24, 31, 36/24 and 36/31 except for an external communication port.

Petteruti teaches a printer having an external communication port, 110. See column 4, line 63 - column 5, line 23.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Kenneth et al. to have the external communication port of Petteruti to be able to more readily communicate between the printer and another external device.

With respect to claim 36/33, Kenneth et al. teaches that the first head and second head are selected from the group including a thermal card read/write head comprising a thermal write head and an optical read head, a magnetic strip card read/write head, 24, and a smart card connector, 26. See column 4, lines 16-19.

8. Claims 12-13, 34-35, 36/34 and 36/35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenneth et al. in view of U.S. Patent No. 6,104,311 to Lastinger.

With respect to claims 12 and 34, Kenneth et al. teaches all that is claimed, as in the above rejection of claims 1, 8, 24, 31, 36/24 and 36/31 except for a capacitance security feature head adapted to read a capacitor structure in the inserted card, the capacitor structure comprising conductive inks.

Lastinger teaches a capacitance security feature head, 32, adapted to read a capacitor structure in an inserted card, see column 8, lines 23-51, the capacitor structure comprising conductive inks. See column 8, lines 2-7.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Kenneth et al. to have the capacity security feature head of Lastinger in order to be better able to identify the status of the card when it is inserted in the printer.

With respect to claims 13 and 35, Kenneth et al. teaches all that is claimed, as in the above rejection of claims 1, 8, 24, 31, 36/24 and 36/31 except for a radio frequency sensor security feature head adapted to read radio waves generated by radio frequency resonators embedded in the inserted card.

Lastinger teaches a radio frequency sensor security feature head , 32, adapted to read radio waves generated by radio frequency resonators embedded in the inserted card. See column 8, lines 23-51.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the invention of Kenneth et al. to have the radio frequency sensor security feature head of Lastinger in order to be better able to identify the status of the card when it is inserted in the printer.

With respect to claims 36/34 and 36/35, Kenneth et al. teaches that the first head and second head are selected from the group including a thermal card read/write head comprising a thermal write head and an optical read head, a magnetic strip card read/write head, 24, and a smart card connector, 26. See column 4, lines 16-19.

Allowable Subject Matter

9. Claims 6, 9, 29, 32, 36/29 and 36/32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 6 and 29, the prior art fails to show or render obvious a printer as claimed, particularly including a sensor for determining the cleanliness of the media inserted into the printer.

With respect to claims 9 and 32, the prior art fails to show or render obvious a printer as claimed, particularly including a controller adapted to retract one more of the heads away from the inserted card using an articulated media drive when an embossing sensor detects embossing.

Response to Arguments

10. Applicant's arguments with respect to claims 1-13 and 24-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 5,426,285 to Sherrod, U.S. Patent No. 5,748,737

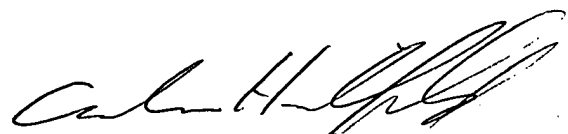
to Daggar, U.S. Patent No. 6,147,605 to Vega et al. and U.S. Patent No. 6,698,654 to Zuppich each teach a printer having obvious similarities to the claimed subject matter.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-Th 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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